

to O'Brien county, in the manner and time as provided in this act, then this release shall not operate to deprive said last named company, their successors or assigns, of land in said contemplated additional grant for any railroad constructed on said line between McGregor and O'Brien county.

SEC. 10. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Iowa Evening Statesman. Taking effect.

Approved March 31, 1868.

I hereby certify that the foregoing act was published in *The Iowa Evening Statesman* April 2, 1868, and in the *Daily State Register* April 3, 1868.

ED WRIGHT, *Secretary of State.*

CHAPTER 59.

REFORM SCHOOL ESTABLISHED.

MARCH 31.

AN ACT to Establish and Organize a State Reform School for Juvenile Offenders.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That a Reform School be established in this State for the reformation of such boys and girls, under the age of eighteen years, who may be committed to it as hereinafter provided. Reform Schl. established.

SEC. 2. There shall be a board of trustees whose name and style shall be the Board of Trustees of the Iowa Reform School, and shall consist of one person from each congressional district, who shall be appointed by the General Assembly, and shall be classified so that two trustees shall go out of office every two years, and for the purpose of determining such classification, the persons appointed trustees shall meet and determine by lot, in such manner as they may agree upon, the term each shall hold his office. A certificate of such classification, stating the term of office of each of said trustees, shall be signed by the persons so appointed as trustees, and filed with the Secretary of State, and by him recorded. And thereafter the General Assembly, at every regular session, shall appoint two persons as Bd. trustees appointed by Gen. Assembly. Classification of do. Term of office.

Vacancies. trustees for the term of six years each, and until their successors are appointed and qualified. All vacancies occurring in said board by death, resignation, or otherwise, shall be filled by appointment by the Governor of the State.

Oath. SEC. 3. Said trustees shall, before entering upon the discharge of their duties, take and subscribe an oath or affirmation to support the constitution of the United States and of this State, and faithfully discharge the duties required of them by law.

Mileage. SEC. 4. The members of said board shall receive no compensation except the same mileage, going to and returning from the place of meeting, as members of the General Assembly, computed for the actual distance from their residence to the place of meeting.

Officers of board. SEC. 5. Said board of trustees shall, from their board, appoint a president, secretary, and treasurer, and shall take charge of the general interests of the institution; shall have power to enact by-laws and rules for the regulation of all its concerns, not inconsistent with the constitution and laws of this State; see that its affairs are conducted in accordance with the requirements of law, and that strict discipline is maintained therein; provide employment and instruction for the inmates; appoint a superintendent, a steward, a teacher or teachers, and such other officers as in their judgment the wants of the institution may require, and prescribe their duties; exercise a vigilant supervision over the institution, its officers and inmates; remove such officers at pleasure, appoint others in their stead, and determine the salaries to be paid to the officers; and shall also require the treasurer to execute a bond to the State of Iowa in such sum as they may deem necessary, which bond shall be approved by said board and filed in the office of the Secretary of State.

Powers of the board.

Officers of School.

Instruction. SEC. 6. They shall cause the boys and girls under their charge to be instructed in piety and morality, and in such branches of useful knowledge as are adapted to their age and capacity, and in some regular course of labor, either mechanical, manufacturing, or agricultural, as is best suited to their age, strength, disposition, and capacity, and as may seem best adapted to secure the reformation and future benefit of the boys and girls.

Binding out. SEC. 7. The trustees, with the consent in writing of their parents *and* [or] guardians, as the case may be, or in case they have no parents or guardians, may bind out boys and girls committed to the school, until they attain their majority, or for any less time, stipulating

in the indentures for the needful amount of education, and from time to time, as the rightful guardians of the boys and girls, ascertain whether the duties and obligations of the person to whom the boy or girl is bound, are faithfully performed, and if not cancel the indenture and receive the boy or girl into the school again.

In certain cases, board may cancel indenture.

SEC. 8. When there shall be twenty or more boys and girls in the school, one or more of the trustees shall visit the school once in every month and examine the boys and girls in their school-room and labor, and inspect the register and accounts of the superintendent. A record shall be kept of these visits in the books of the superintendent. (Once in every year, or oftener, if the trustees think it necessary, they shall examine the school in all its departments, including the accounts, vouchers, and documents of the superintendent, and prepare a report on the condition of the institution on the first Monday in November next preceding the meeting of the General Assembly, which, together with a full report of the superintendent, and a list of the officers and their salaries, with an estimate of the value of the personal property of the State in connection with the school, shall be laid before the General Assembly.

Trustees to visit school.

Record of visits.

Trustees to examine sch. annually.

Biennial rep't of trustees & superintendent.

SEC. 9. The superintendent, with such subordinate officers as the trustees may appoint, shall have the charge and custody of the boys and girls; he shall discipline, govern, instruct, employ, and use his best endeavors to reform, the inmates in such manner as, while preserving their health, will secure the promotion, as far as possible, of moral, religious, and industrious habits, and regular, thorough progress and improvement in their studies, trades, and employment.

Powers and duties of superintendent.

SEC. 10. He shall, before entering upon his duties, give a bond to the State, with sureties, the amount and sureties to be satisfactory to the board of trustees, conditioned that he shall faithfully perform all his duties, and account for all money received by him as superintendent, which bond shall be filed in the office of the Secretary of State; he shall have charge of all the property of the institution within the precincts thereof; he shall keep in suitable books, complete accounts of all his receipts and expenditures, and of all property intrusted to him, showing the income and expenses of the institution, and in such manner as the trustees may require, for all money received by him. His books and documents relating to the school shall at all times be open to the inspection of the trustees. He shall keep

Same—bond.

Register of children. a register containing the name, age, and circumstances connected with the early history of each boy and girl, and shall add such facts as shall come to his knowledge, relating to his or her history while at the institution and after leaving it.

Convicts under 18, except murderers, may be sent to Reform School. **SEC. 11.** When a boy or girl, under the age of eighteen years, shall, in any court of record, be found guilty of any crime, excepting murder, the said court may, if in its opinion the accused is a proper subject therefor, instead of entering judgment, cause an order to be entered, that said boy or girl be sent to the State Reform School, pursuant to the provisions of this act, and a copy of said order, duly certified by the clerk, under the seal of said court, shall be a sufficient warrant for carrying said boy or girl to the said school, and for his or her commitment to the custody of the superintendent thereof.

Order of court. **SEC. 12.** When a boy or girl under the age of eighteen shall be convicted before a justice of the peace, or other inferior court, of any crime, or of being a disorderly person, it shall be lawful for the magistrate before whom he or she may be convicted, to forthwith send said boy or girl, together with all the papers filed in his office on the subject, under the control of some officer, to the county judge, or a judge of a court of record, who shall then issue an order to the parent or guardian of said boy or girl, or such person as may have him or her in charge, or with whom he or she has last resided, or one known to be nearly related to him or her, or if he or she be alone or friendless, then to such person as said judge may appoint to act as guardian *ad litem*, requiring him or her to appear at a time and place stated in said order, to show cause why said boy or girl should not be committed to the Reform School for reformation and instruction.

Proceedings in court. **SEC. 13.** Said order shall be served by the sheriff, or other officer, by delivering a copy thereof, personally, to the party to whom it is addressed, or leaving it with some person of full age at the place of residence or business of said party, and immediate return shall be made to the said judge of the time and manner of such service. The fees, of judge, sheriff, or other officer under this act, shall be the same as now allowed by law for like services.

Service. **SEC. 14.** At the time and place mentioned in said order, or at the time and place to which it may be adjourned, if the parent or guardian to whom said

Fees.

order may be addressed shall appear, *there* [then] in his or her presence, or if he or she shall fail to appear, then in the presence of some suitable person whom the said judge shall appoint as guardian *ad litem*, it shall and may be lawful for said judge to proceed to take voluntary examination of said boy or girl, and to hear the statements of the party appearing for him or her, and such testimony in relation to the case as may be produced, and if upon such examination and hearing Examination the said judge shall be satisfied that the boy or girl is and hearing. a fit subject for the State Reform School, he may com- Commitment. mit him or her to said school by warrant.

SEC. 15. The judge shall certify, in the warrant, What the place in which the boy or girl resided at the time of his or her arrest, also his or her age as near as can be ascertained, and command the said officer to take the said boy or girl, and deliver him or her, without delay, to the Superintendent of said school, or other person in charge thereof, at the place where the same is established; and such certificate, for the purpose of this act, shall be conclusive evidence of his or her residence or age. Accompanying this warrant the judge shall transmit to the superintendent, by the officer executing it, a statement of the nature of the complaint, together with such other particulars concerning the boy or girl as the judge is able to ascertain. Judge's certificate conclusive as to residence or age. Statement.

SEC. 16. If the judge is of the opinion that the boy or girl is not a fit subject for the school, or if said boy or girl shall appeal from the decision of the court in which the conviction was had, he shall remand him or her to the custody of the officer who had him or her in charge, to be returned to the magistrate before whom the conviction was had, to be dealt with according to law. Appeal. Remanded.

SEC. 17. If any parent or guardian shall make complaint to a county judge or judge of a court of record, that any boy or girl, the child or ward of such parent or guardian, is habitually vagrant or disorderly, or incorrigible, it shall and may be lawful for said judge to issue a warrant to the sheriff or constable to cause said boy or girl to be brought before him at such time and place as he may appoint, when and where said judge shall examine the parties, and if in his judgment the boy or girl is a fit subject for the Reform School he may issue an order with the consent of the said parent or guardian indorsed thereon, to be executed by a sheriff or constable, committing said boy or girl to the custody of the superintendent of said school Vagrant, &c., youth, on complaint of parent or guardian, may be sent to school.

for reformation and instruction till he or she shall attain the age of majority: *Provided*, That security for the payment of the expenses of said complaint, commitment, and of carrying said boy or girl to the Reform School, and the expenses of board at such school, may, in the discretion of said judge, be required of said parent or guardian.

Commitment not to extend beyond majority. SEC. 18. No boy or girl shall be committed to said Reform School for a longer term than until he or she attain the age of majority, but the said trustees, by their order, may at any time, after one year's service, discharge a boy or girl from said school, as a reward of good conduct in the school, and upon satisfactory evidence of reformation.

Discharge for good conduct. SEC. 19. Any boy or girl committed to the State Reform School shall be there kept, disciplined, instructed, employed, and governed, under the direction of the trustees, until he or she arrives at the age of majority, or is bound out, reformed, or legally discharged. The binding out or discharge of a boy or girl as reformed, or as having arrived at the age of majority, shall be a complete release from all penalties incurred by conviction of the offense for which he or she was committed.

Care of inmates of school. SEC. 20. If any boy or girl, convicted of a felony, committed to the Reform School, shall prove unruly or incorrigible, or if his or her presence shall be manifestly and persistently dangerous to the welfare of the school, the trustees shall have power to order his or her removal to the county from which he or she came, and delivery to the jailor of the said county, and proceedings against him or her shall be resumed, as if no warrant or order committing him or her to the Reform School had been made.

Release from penalties. SEC. 21. Every person who unlawfully aids or assists any boy or girl lawfully committed to the Reform School in escaping or attempting to escape therefrom, or knowingly conceals such boy or girl after his or her escape, shall be punished as provided by section 4293 of the Revision of 1860.

Trustees may remand incorrigible youth to co. SEC. 22. For the purpose of immediately opening said school, the trustees thereof shall accept the proposition of the trustees of White's Iowa Manual Labor Institute made to the General Assembly, and lease for such term as they shall agree, not more than ten years, the lands, buildings and appurtenances belonging to said Manual Labor Institute, and at once proceed to prepare for and open a Reform School thereon as soon as possi-

Trustees to lease White's Manual Labor Institute.

ble, as a temporary establishment; and when so open, the fact shall be published by said trustees in one newspaper in each county in the State in which a newspaper is printed, whereupon those provisions of this act authorizing the commitment of persons to said school shall take effect; and it shall be lawful for the trustees of said Reform School and warden of the Penitentiary, in their discretion, upon the consent in writing of any convicts in said Penitentiary, of the proper age, to remove such convict to said Reform School; and when the permanent school shall be established and ready for opening, the said trustees shall remove and transfer those persons at the temporary establishment to the permanent school, and all subsequent commitments shall be made to said permanent school; and for the purpose contemplated by this section there is appropriated the sum of fifteen thousand dollars, or so much thereof as may be found necessary, to be expended in discharging the expenses incurred, and in repairs and improvements made on, and liquidating a small indebtedness, not exceeding the sum of twenty-five hundred dollars, of said Manual Labor Institute, incurred in building the school edifice on said lands: *Provided*, That the making of the improvements and payment of the money contemplated by this act shall be under the exclusive control of the trustees of the Reform School.

Advertisem't of opening of school to be made in counties.

Removal of convicts from penitentiary.

Removal to permanent school.

Appropriation: \$15,000. Proviso.

SEC. 23. This act shall take effect and be in force from and after its publication in the *Daily State Register* and *Iowa Evening Statesman*.

Taking effect.

Approved March 31, 1868.

I hereby certify that the foregoing act was published in the *Daily State Register* April 4, 1868, and in *The Iowa Evening Statesman* April 4, 1868.

ED WRIGHT, *Secretary of State*.

CHAPTER 60.

NOTARIES PUBLIC.

AN ACT Relating to the Qualification of Notaries Public.

APRIL 1.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the certificate of the clerk of the district court to the Secretary of State, showing